

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**NEW CONCEPTS FOR LIVING, INC.**

**and**

**Cases 22-CA-187407  
22-CA-195819  
22-CA-197088  
22-CA-205843  
22-CA-208390**

**COMMUNICATIONS WORKERS LOCAL 1040**

**ORDER<sup>1</sup>**

The Respondent's motion for summary judgment is denied.<sup>2</sup> The Respondent has failed to establish that there are no genuine issues of material fact warranting a hearing and that it is entitled to judgment as a matter of law.

Dated, Washington, D.C., September 20, 2018.

LAUREN McFERRAN,	MEMBER
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> In light of our denial of the Respondent's motion, we find it unnecessary to pass on the General Counsel's request that the September 25, 2017 letter submitted by the Respondent with its motion be stricken from the record. However, the General Counsel is free to raise its request again at the hearing before an administrative law judge.